

9071. Misbranding of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apioi Tablets. U. S. * * * v. 43 Packages * * * and 173 Packages * * * of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apioi Tablets. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13308, 13309. I. S. Nos. 1217-t, 1750-t. S. Nos. C-2300, C-2301.)

On or about August 25 and 28, 1920, respectively, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 43 packages and 173 packages, more or less, of Robert J. Pierce's Empress Brand Tansy, Cotton Root, Pennyroyal, and Apioi Tablets, at Toledo and Cleveland, Ohio, respectively, alleging that the article had been shipped by the Robert J. Pierce Co., New York, N. Y., on or about June 6 and July 9, 1920, respectively, and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "* * * Tansy, Cotton Root, Pennyroyal and Apioi Tablets A Safe Emmenagogue. Always Reliable And Effective. The Best Known Remedy For The Suppression Of The Menstrual Function;" (circular) "* * * The Celebrated Female Regulator * * * Delayed Menstruations When the suppression is of long standing, * * * take one * * * until four days before the time when the menses should appear * * * immediately preceding the expected appearance of the menstrual flow, active treatment should begin. Take one [tablet] three times daily, * * * follow * * * instructions * * * until the desired result is obtained. * * * Irregularities. Where the menses are not regular, * * * are invaluable. Take * * * before the expected appearance of the menstrual flow [period]."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the tablets consisted essentially of aloes, ferrous sulphate, pennyroyal, and unidentified plant extractives.

Misbranding of the article was alleged in the libels for the reason that the above-quoted statements, regarding the curative and therapeutic effect of said article, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On September 20, 1920, and January 3, 1921, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9072. Misbranding of Madame Dean Female Pills. U. S. * * * v. 12 Packages of Madame Dean Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13402. I. S. No. 3842-t. S. No. C-2207.)

On August 18, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 packages of Madame Dean Female Pills, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by Martin Rudy, Lancaster, Pa., on or about May 24, 1920, and transported from the State of Pennsylvania into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box and wrapper) "Female Pills * * * give relief in Female Disorders of the menstrual functions. * * * for Pain-